



# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1499

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H.P. 954

House of Representatives, April 5, 2023

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**An Act Regarding Penalties for Early Retirement for Certain  
Members of the Maine Public Employees Retirement System**

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Reference to the Committee on Labor and Housing suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative SHAGOURY of Hallowell.  
Cosponsored by Representative POLEWARCZYK of Wiscasset, Senator HICKMAN of  
Kennebec and Representatives: BRENNAN of Portland, DODGE of Belfast, MADIGAN of  
Waterville, MALON of Biddeford, RUSSELL of Verona Island.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. Reduction in early retirement penalty for certain state employees**  
3 **and teachers.** Notwithstanding the Maine Revised Statutes, Title 5, section 17852,  
4 subsection 3-A or any other provision of law to the contrary, beginning October 1, 2023  
5 the reduction in the retirement benefit for a qualified member is 2.25% for each year that  
6 the qualified member's age precedes 62 years of age at retirement.

7 As used in this section, "qualified member" means a member of the Maine Public  
8 Employees Retirement System who:

9 1. Retired from service as a state employee between July 1, 2011 and January 1, 2012  
10 or as a teacher between July 1, 2011 and July 1, 2012;

11 2. Had completed 25 or more years of creditable service upon retirement;

12 3. Had neither 10 years of creditable service nor had reached 60 years of age with one  
13 year of creditable service immediately before July 1, 1993; and

14 4. Had not attained 62 years of age as of retirement from service as a state employee  
15 or teacher.

16 As used in this section, "creditable service," "employee," "member," "retirement,"  
17 "retirement benefit," "state employee" and "teacher" have the same meanings as in Title 5,  
18 section 17001.

19 **SUMMARY**

20 Under changes made to the Maine Public Employees Retirement System in 1993,  
21 employees who were members of the Maine Public Employees Retirement System as of  
22 July 1, 1993 but did not have 10 years of creditable service as of July 1, 1993 are required  
23 to have 25 years of creditable service and attain 62 years of age in order to avoid incurring  
24 a penalty of 6% of earned benefits for each year the person retires before attaining 62 years  
25 of age. Prior to that change, the penalty was 2.25% for each year below 60 years of age  
26 the person retired.

27 Beginning October 1, 2023, this bill changes the rate of the penalty for those state  
28 employees who retired between July 1, 2011 and January 1, 2012 and for teachers who  
29 retired between July 1, 2011 and July 1, 2012 who had at least 25 years of service on July  
30 1, 2011 but had not attained 62 years of age to 2.25% for each year the person was below  
31 62 years of age upon retirement from service.